

REMARKS

Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claim 14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Applicant has amended claim 14 to recite “[a] computer program product, the computer program product comprising instructions operable to cause data processing apparatus to...” Therefore, the Applicant respectfully requests that the rejection of claim 14 under 35 U.S.C. § 112 be withdrawn.

Claim Rejections – 35 U.S.C. § 102

The Examiner alternatively rejected claims 9, 12, and 13 under 35 U.S.C. § 102 as being anticipated by Block et. al. (U.S. 2003/0055689 A1) (“Block”). As recommended by the Examiner, claim 9 has been amended to recite “a first computing device programmed ...” Therefore the Applicant respectfully requests that the rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 103

The Examiner rejected Claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Leiseca et al. (US. 5,253,165) in view of Meunier (US. 2002/0186144) and further in view of Scherer (US. 7,035,384).

The Examiner rejected claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Leiseca, Meunier and Scherer as described above and further in view of Mashinsky (US 20060059023).

The Examiner rejected claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Leiseca, Meunier and Scherer as described above and further in view of Official Notice.

Independent Claim 1

No proper combination of Leiseca, Meunier, or Scherer discloses or render obvious at least “the link including a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data” as recited by claim 1.

The Examiner correctly states that Leiseca does not disclose this feature (Office Action p.5), but instead relies on Scherer to disclose this limitation. Meunier does not disclose or render obvious this feature. Instead, Meunier teaches an on board unit capable of voice or data communication in emergency situations. In this regard, Meunier states

There are circumstances such as emergencies when instant voice or data communication is required or desirable between the user and the Customer Service and Response Center (CSRC) ... a communication link may be established instantly with the CRMLS by pressing a single button on the OBU keyboard or display or by following the complaint process... Upon establishing such link, the OBU transmits along with last recorded GPS position so that the CSRC may instantly and precisely locate the vehicle without the user's participation. (Meunier, [0281]).

The only information Meunier describes being included in the communication with the customer service and response center is a GPS position of the vehicle. A GPS position merely provides a location for the vehicle and is not “a unique-identifier associated with the user-entered data” as required by claim 1 and certainly Meunier would not suggest, when combined with Leiseca, that the link includes a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data.

Meunier also describes authenticating a user's identity prior to releasing a vehicle. In this regard, Meunier states “

It is advantageous from a security standpoint to confirm that a user's identity is genuine before finally releasing the vehicle for hire. In a preferred embodiment, the system requests that a user enters a secret code (20) or follows a personal identification process such as answering personal questions to confirm said user's identity (19). Alternatively, voice recognition (22) or fingerprint, signature or any other authentication means may be used. Upon positive authentication, the OBU (18) releases the ignition of the vehicle (23). Also see FIG. 11A.(Meunier, [0269]).

However, authenticating a user's identity prior to releasing the ignition of a vehicle is not “the link including a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data” at least because there is no association of

the unique identifier with user-entered data that enables that data to be viewed by another, e.g., a customer service representative.”

Similarly, Scherer does not disclose or suggest “the link including a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data.” No where does Scherer disclose using a unique identifier to view user entered data. Instead, Scherer describes using call information to identify prior knowledge about the user such as call velocity, dollars billed, billing velocity, customer service, satisfaction (Scherer, col. 11, lines 20-30). No where does Scherer discuss using a unique identifier included in a link to view user entered data, but only discloses using the unique identifier to view data collected about the user.

Scherer also describes scenarios in which the information provided with the call is not a valid unique identifier and states that instead that other unique numbers are requested during the call processing data gathering process. In this regard, Scherer states:

For many databases, the Caller's ANI (or the Calling Number) is not the significant data item. For many applications, knowing the true Caller identifier and then validating this number is of major importance. The goal is to find out who is calling and why. To identify the who, many of the following "unique key" numbers are requested as part of the call processing data gathering function. (Scherer, col. 32, lines 50-56).

These additional unique identifiers are not “a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data” as recited by claim 1, at least because they are not included in the link. Instead the additional unique identifiers are collected after the call begins.

For example, Scherer describes a rental car customer service number which inquires for a contract number. The call flow will change based on this additional information. In this regard, Scherer states:

The Caller calls a rental car customer service number and the car rental company call processor inquires for a contract number or a customer number. ***If the Caller enters a contract number***, the car rental company's call processor will change the questions it asks, since it has now identified a car that is out on rental and who the car was rented to. The knowledge of the "unique key" changes the call processor's data collection flow (Scherer, col. Lines 42-49 ***emphasis added***)

Scherer is silent with regard to “a unique identifier associated with the user-entered data that enables a customer representative to view the user-entered data.”

Independent Claims 9 and 14

Independent claim 9 and 14 recite similar limitations to independent claim 1 and are allowable for at least similar reasons.

Dependent Claims 2-7, 9-12, and 15-20

Each of these dependent claims is properly dependent upon a respective independent claim and each is allowable therewith.

Dependent Claim 8

No proper combination of Leiseca, Meunier, Scherer, and Mashinsky discloses or renders obvious the subject matter of claim 1 found to be lacking in Leiseca, Meunier, and Scherer. Claim 8 is properly dependent on claim 1 and is allowable therewith.

Dependent Claim 13

No proper combination of Leiseca, Meunier, Scherer, and the Examiner's official notice do not disclose or render obvious the subject matter of claim 9 found to be lacking in Leiseca, Meunier, Scherer. Claim 13 is properly dependent on claim 9 and is allowable therewith.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant : Boris Kalinichenko, et al.
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In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7828.

The \$130 for the Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account Authorization. Please apply any other charges or credits to deposit account 06 1050 referencing Attorney Docket Number 08575-0104001.

Respectfully submitted,

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